

**ASSIGNED**Serial No. **54730****APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED**Date of filing in State Engineer's Office **MAY 9 1990**

Returned to applicant for correction

Corrected application filed Map filed **MAY 16 1990** under 54729The applicant **AQUEDUCT I LTD.**P.O. Box 2790 of **Reno**  
Street and No. or P.O. Box No. City or Town**Nevada 89505** hereby make application for permission to change the  
State and Zip Code No.**Point of Diversion, Place of Use and Manner of use of a Portion**  
Point of diversion, manner of use, and/or place of useof water heretofore appropriated under **Claims #523, 524, 525, 526, 527 of the Final Decree,**  
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and**Titled The United States of America Plaintiff vs. Alpine Land & Reservoir**  
Identify right in Decree.**Company, a corporation Etal, Defendants Civil No. D-183BRT**

1. The source of water is **West fork of the Carson River**  
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed **as decreed (103.85 Acre Feet)**  
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for **storage**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for **as decreed**  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point **Please refer to EXHIBIT "A"**  
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

6. The existing permitted point of diversion is located within **Jarvis ditch as shown on the Carson**  
If point of diversion is not changed, do not answer.  
**River Decree & Maps within the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 18, T.11N., R.20E., M.D.B.&M.**
7. Proposed place of use **Mud lake located within portions of W $\frac{1}{2}$  Section 3; E $\frac{1}{2}$  Section 4;**  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
**NE $\frac{1}{4}$  Section 9; NW $\frac{1}{4}$  NW $\frac{1}{4}$  Section 10 T.11 N., R.20 E. Please refer to the Carson**  
**River Decree Maps.**
8. Existing place of use **See EXHIBIT "B" and please refer to the Carson River Decree Maps**  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from **January 1** to **December 31** of each year.  
Month and Day Month and Day
10. Use was permitted from **As Decreed** to **As Decreed** of each year.  
Month and Day Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) **Headgate located in the Carson River known as**  
**Snowshoe Thompson #2, Indian Creek, inlet to** State manner in which water is to be diverted, i.e. diversion structure,  
**Mud Lake, gauging station and Reservoir facility; as provided under claim 463**  
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works **Completed under Carson River Decree**
13. Estimated time required to construct works **Completed under Carson River Decree**

14. Estimated time required to complete the application of water to beneficial use..... 5 year

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Applicant intends to place the full duty of the decreed water into storage at Mud Lake in the amount of 4632.3 Acre feet. Both the Millich and Showshoe Thompson ditches will be used to divert the necessary flows throughout the year to satisfy the decreed duty.

/s/Jack D. Ferris  
By THIEL, WINCHELL & ASSOCIATES  
34 Lakes Blvd., Suite 101  
Dayton, NV 89403

Compared bp/cc jr/bk

Protested

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion, manner and place of use of a portion of Claim Nos. 523, 524, 525, 526 and 527 of the Carson River as heretofore granted under the Final Carson River Decree No. D-183, in the District Court of the United States in and for the District of Nevada, is issued subject to the terms, conditions and irrigation period imposed in said Final decree and with the understanding that no other rights on the source will be affected by the change proposed herein.

The total combined duty of water under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737, 54738 and the Permittee's portions of Claim No's. 463, 814 and 814A shall not exceed 1894.75 acre feet annually.

On April 1st of each year, the permittee shall report to the State Engineer and the Federal Water Master, the quantity of water stored in the Mud Lake Reservoir, under his portions of Claim No's. 463, 814 and 814A, during the just concluded non-irrigation season. This quantity of water, up to a maximum of 1057.33 acre feet, shall be subtracted from 1894.75 acre feet, the total quantity of water approved under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738. The remainder is the quantity of water allowed to be diverted under Permits 54729, 54730, 54731, 54732, 54733, 54734, 54735, 54736, 54737 and 54738 this season, measured near the point of diversion from the West Fork of the Carson River. 40% of this quantity may be diverted in April, 40% in May, and the remaining 20% will be diverted as regulated, in June.  
(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 57.75 acre-feet per season, cubic feet per second as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before September 12, 1996

Proof of completion of work shall be filed before October 12, 1996

Application of water to beneficial use shall be made on or before N/A

Proof of the application of water to beneficial use shall be filed on or before N/A

Map in support of proof of beneficial use shall be filed on or before N/A

Completion of work filed OCT 22 1996

Proof of beneficial use filed

Cultural map filed

Certificate No. Issued

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.  
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this 12th day of September

A.D. 19 95

*[Signature]*  
State Engineer

Abrogated By 66639 23.1 AC under 5/3/04